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Sent: Wed 11/16/2016 2:59:41 PM
Subject: WLL News Stories
Missouri Radiation Complaint.pdf

Attached is the lawsuit petition filed yesterday in the 21st judicial circuit of the State of Missouri in St. Louis County:

(we'll be providing our desk statement to the P-D this morning asking them to update their online story.)

Post-Dispatch Story

http://www.stltoday.com/news/local/crime-and-courts/couple-near-bridgeton-landfill-sues-after-allegedly-finding-high-radioactivity/article_04abb6a9-89e5-511f-b9ff-7caea1233119.html

Couple near Bridgeton Landfill sues after allegedly finding high radioactivity in household dust

By Bryce Gray St. Louis Post-Dispatch

Michael and Robbin Dailey say their neighbors just received more than the asking price on their house, and although they would desperately like to move from their Bridgeton home, they don't expect a similar return.

That's because they say their ranch-style home in the Spanish Village neighborhood is worthless after recent tests revealed unacceptable levels of radioactivity in household samples of dust, gleaned from behind the fridge, in hard-to-reach corners of the basement, and in the dirt of their manicured yard.

"Who would want it?" asked Michael Dailey, 63. "It makes you wonder what is actually contaminated, (and) what isn't."

The Daileys said the tests conducted by a Massachusetts lab show a distinct fingerprint, linking the radioactivity in the dust to the unique signature of highly concentrated

uranium found in the Democratic Republic of the Congo— the same uranium used to develop nuclear weapons in the Manhattan Project before its eventual disposal in West Lake Landfill, about a half-mile northeast of the Daileys' ranch-style home.

They think it's no coincidence.

On Tuesday, the couple filed a lawsuit against private companies associated with the landfill's management and history as a disposal site for radioactivity. The Department of Energy is not among the defendants, although the agency is recognized as one of the "Potentially Responsible Parties" in the Environmental Protection Agency's ongoing process of determining a cleanup plan for the site.

The Daileys' suit, filed in St. Louis County, claims that the defendants have damaged the value of their property, which Robbin Dailey, 61, says they bought for \$110,000 in 1999, and moved into with one son. The suit alleges that some samples of dust contained levels of thorium-230 — a radioactive decay product of uranium — that were 200 to 1,000 times greater than "background" levels that can be expected to occur naturally, along with traces of other radioactive elements.

The suit also lists costs of relocation and monitoring the couple's future health among the damages it seeks to recover, even though they do not have any immediate health concerns they can attribute to the site.

"It's scary. It's like living in a state of you don't know what's going to happen with your health next," Michael Dailey said. "How much have I been exposed?"

Representatives of Republic Services, the operator of the landfill and one of the defendants in the suit, maintained that the site and its surroundings are safe.

"We have not seen the suit, or any scientific data to support its foundation," Russ Knocke, Republic Services vice president of communications and public affairs, said in a statement. "For years, federal regulators, state officials and third-party experts have been clear that the landfill is safe. There has been no evidence that supports a claim for off-site contamination. The landfill remains in a managed state."

A representative of Cotter Corp., a uranium mining company listed as another of the potentially responsible parties at the site, did not respond to a request for comment.

The EPA aims to select a cleanup plan for the West Lake Landfill by the end of the year. Options include putting a cap over the site, or pursuing full or partial excavation of its contents.

Curtis D. Carey, Ph.D.

Public Affairs Director

U.S. Environmental Protection Agency

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